

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MICHAEL STREETER,

Plaintiff,

vs.

SAEILO, INC.,

Defendant.

**4:18CV3077**

**PROGRESSION ORDER  
(AMENDED)**

IT IS ORDERED that Joint Motion to Extend (Filing No. 37) is granted, and the Final Progression Order (Filing No. 21) is amended as follows:

- 1) The jury trial of this case is set to commence before John M. Gerrard, Chief United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, a 9:00 a.m. on **October 21, 2019**, or as soon thereafter as the case may be called, for a duration of seven (7) trial days. This case is subject to the prior trial of criminal cases and other civil cases that may be scheduled for trial before this one. Jury selection will be held at the commencement of trial.
- 2) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on **October 8, 2019** at **10:00 a.m.**, and will be conducted by internet/telephonic conferencing. Counsel shall use the conferencing instructions assigned to this case to participate in the conference. The parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to [zwart@ned.uscourts.gov](mailto:zwart@ned.uscourts.gov), in Word format, by 5:00 p.m. on October 4, 2019.
- 3) A telephonic conference to discuss the status of case progression and the parties' interest in mediation will be held with the undersigned magistrate judge on **May 1, 2019** at **10:00 a.m.** by telephone. Counsel shall use the conferencing instructions assigned to this case to participate in the conference. This conference will be cancelled if the court is advised prior to the conference that the parties have selected a mediator and intend to mediate the case prior to July 1, 2019.
- 4) The deadline for complete expert disclosures for all expert witnesses expected to testify at the trial for the defense, (both retained experts, (Fed. R. Civ. P. 26(a)(2)(B)), and non-retained experts, (Fed. R. Civ. P. 26(a)(2)(C)), is April 19, 2019.
- 5) The deadlines for deposing experts are:

For the plaintiff(s):

April 19, 2019

For the defendant(s):

June 4, 2019

- 6) The deposition deadline is June 4, 2019.
  - a. The maximum number of depositions that may be taken by the plaintiffs as a group and the defendants as a group is 10.
  - b. Depositions will be limited by Rule 30(d)(1).
- 7) The deadline for filing motions to dismiss and motions for summary judgment is June 4, 2019.
- 8) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is June 4, 2019.
- 9) Motions in limine shall be filed seven days before the pretrial conference. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. Counsel should plan accordingly.
- 10) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.
- 11) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.

Dated this 5th day of March, 2019.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge